

1 Thomas Daniel Strow
2 M CSP CDCR# V47104
3 P.O.Box. 409060
4 Ione, CA 95640

5 (In Pro Per)

FILED

08 SEP 10 PM 2:31

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

7 IN THE UNITED STATES DISTRICT COURT FOR THE
8 NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIV

9
10 THOMAS DANIEL STROW

11 Petitioner,) CASE No. C08-0629(CRB(PR))

12 V.) MOTION FOR EXTENTION OF
13 M. MARTEL, Warden,) TIME TO FILE TRAVERSE

14 Respondent,)
15)

16 TO: THE HONORABLE COURT IN THE ABOVE ENTITLED CAUSE

17 PLEASE TAKE NOTICE: That as soon as this matter may be heard by the
18 Court, the above named petitioner will move for an Extension of Time. For the reasons
stated in the accompanying declaration, petitioner hereby requests a sixty day extension
of time, to and including November 24, 2008 within which to file a traverse as required
by this Courts Order Extending Time Within Which to File Answer filed August 4, 2008

20 This motion is based on all the records and files listed under the above
21 mentioned case number, and the attached declaration of the defendant.

22 DATE: September 4, 2008

23 RESPECTFULLY SUBMITTED,

24
25
26
27
28 Thomas D. Strow

1 **DECLARATION OF petitioner supporting motion for extension of time**

2 I, Thomas Daniel Straw, hereby declare:

3 That I am the petitioner in this case in need of an extension of time to file traverse
4 in response to the Deputy Attorney General's Answer filed August 26, 2008, to ..
5 which petitioner has been directed to file and serve within 30 days of an
6 service of answer or otherwise responsive pleading, I request a sixty-day
7 extension of time to and including November 24, 2008 in which to file my
8 traverse. This is the first extension of time request I have made.

9 I assert that I am not trained in law, and am confined in state prison,
10 and have limited access to the law library for purposes of researching law
11 and preparing my traverse. I will thus need the extension of time to facilitate
12 the legal research and preparation necessary for filing and service of the
13 traverse.

14 Accordingly, I request an extension of 60 days, up to and including
15 November 24, 2008 to prepare and file the traverse in this case.

16

17

18

19 **VERIFICATION**

20 I am the petitioner in the above cause of action, have read the statements herein,
21 and declare under penalty of perjury that upon information and belief these statements are
22 true and correct.

23
24 DATED: September 4, 2008

25 **RESPECTFULLY SUBMITTED,**

26
27 Thomas D. Straw

DECLARATION OF SERVICE BY MAIL

Case Name Thomas Daniel Straw v. N. Martel, Warden

Case No. C08-0629 CRB (PR)

I, Thomas D. Straw, am a resident of the State of California, Mule Creek State Prison (M.C.S.P.) at Ione, California, County of Amador, and I am at least 18 years of age and am a party to the within action. My mailing address is: P. O. Box 409060, Ione, California, 95640-9060.

On, September 4, 2008, I served a true and correct copy of the following documents:
Motion for Extension of Time to File Traverse

on each party listed below, by placing it in a sealed envelope with adequate postage or provided, and depositing said envelope in the institutional mail box, or turned said envelope in to custodial personnel for the United States Mail at Mule Creek State Prison, P. O. Box 409060, Ione, California, 95640-9060. Each party to the action has been duly served.

This copy is being mailed to:

Office of the Clerk, U.S. Dist. Ct.
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

I have mailed additional copies to:

Department of Justice
Office of the Atty. Gen.
455 Golden Gate Ave. Ste 1000
San Francisco, CA 94102-3664

There is regular service by the United States Mail between the above place of mailing and the parties listed.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed this 4 day of September, 2008 at Ione, California.

Name (Signature): Thomas D. Straw

CDCR No. J47104

T. Strow
NCSPP-C-15.

P.O. Box 409060
Tome, CA 95640



RECEIVED
10 PM 2:42
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
John

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Northern District of California
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San Francisco, CA 94102

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